PTO/SB/21 (0503)

Approved for use through 04/30/2003. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/748,317 TRANSMITTAL Filing Date December 29, 2003 **FORM** First Named Inventor Alex Brown et al. Group Art Unit (to be used for all correspondence after initial filing) **Examiner Name** Total Number of Pages in This Submission 45256.00033.UTL Attorney Docket Number **ENCLOSURES** (check all that apply) After Allowance Communication Fee Transmittal Form Drawing(s) Appeal Communication to Board Fee Attached Licensing-related Papers of Appeals and Interferences Appeal Communication to Group Petition Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a Provisional After Final Proprietary Information Application Power of Attorney, Revocation Affidavits/declaration(s) Change of Correspondence Status Letter Address **Extension of Time Request** Other Enclosure(s) (please Terminal Disclaimer identify below): **Express Abandonment Request** Request for Refund Information Disclosure Statement CD, Number of CD(s) Certified Copy of Priority Remarks Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Paul, Hastings, Janofsky & Walker LLP Individual name Signature ,Bradley D. Blanche Date 2004 April CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name Lisa Munson

Signature

Muncon

Date | U

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Atty. Docket No.: 45256..00033



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.:

10/748,317

Applicant:

Alex Brown et al.

Filed:

December 29, 2003

Docket No.:

45256.00033

Title:

METHOD AND APPARATUS FOR PERFORMING NATIVE

BINDING

Customer No.:

Confirmation No.:

TC/A.U.:

Examiner:

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97(b)(3)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In compliance with the Applicant's duty under 37 CFR § 1.56, the following information is brought to the attention of the Examiner. The items are listed on the attached form PTO-1449.

The items identified in this Information Disclosure Statement (IDS) may or may not be "material" pursuant to 37 CFR § 1.56 and the submission thereof by Applicant shall not be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

The filing of this IDS shall not be construed to mean that a search has been made or that no other material information, as defined in 37 CFR § 1.56, exists.

Atty. Docket No.: 45256..00033

The attached IDS is being filed in accordance with 37 CFR §§ 1.97 and 1.98. This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b)(3), that is before the mailing of a first Office Action on the merits. Thus, no petition or fee is required. However, if the undersigned representative of Applicant is in error in this regard, then the Examiner is requested to consider this IDS as filed under § 1.97(c) and is further authorized to charge any fee required by the filing of these papers to Deposit Account No. 50-2613.

Respectfully submitted,

Dated:

By:

Bradley D. Blanche

Reg. No. 38,387

Attorney for Applicant

36,183

Paul, Hastings, Janofsky & Walker LLP

P.O. Box 919092

San Diego, CA 92191-9092 Telephone: (714) 668-6257/6255

Facsimile: (714) 979-1921

CERTIFICATE OF MAILING

I hereby certify that these papers and any fees being referred to as attached or enclosed is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on UIII , 2004.

isa Munson

Date

FORM PTO-1449 USE OF PATENTS AND OTHER ITEMS FOR APPLICANT'S PE OF PATENTS AND OTHER ITEMS FOR APPLICANT'S PE OF PATENTS AND OTHER ITEMS FOR APPLICANT'S			ATTY. DOCKET NO. 45256.00033 10/748,317 APPLICANT: Alex Brown et al.			
APR 1 9 2004	willse several sheets if no		FILING DATE: December 29, 2003		GROUP:	
TRADEN'						
		U.S. PATENT D	OCUMENTS			
EXAMINE	DOCHMENT NUMBER	DATE			SUB	FILING

KINITIAL	 	DOCUMENT NUMBER	DATE	NAME	CLASS	CLASS	DATE
	AA						
		•	FOREIGN PA	ATENT DOCUMENTS			
EXAMINE R INITIAL		DOCUMENT NUMBER	DATE	COLINTRY	CLASS	SUB	TRANSLATION

	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)
AC	The DR Emulator, "Technical Note PT39", 02/01/95, pgs. 1-3
AD	Apple Computer, Inc. "Mixed Mode Manager Reference", 04/01/03, pgs. 1-30

OC/342124.1 . EXAMINER:	DATE CONSIDERED:

EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant

AB